

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

TIMOTHY J. FAST,
on behalf of himself and
all others similarly situated,

Plaintiff,

v.

Case No. 16-CV-1637

CASH DEPOT LTD.,

Defendant.

**PLAINTIFF'S AMENDED ANSWERS TO DEFENDANT'S [SECOND SET] OF
INTERROGATORIES AND REQUEST TO PRODUCE DOCUMENTS**

GENERAL RESERVATIONS AND OBJECTIONS

1. These responses are made on the basis of information presently available and located by Plaintiff, and Plaintiff reserves the right to modify his responses and/or objections with such additional information as subsequently may be discovered.

2. Plaintiff objects to each of the interrogatories to the extent that they seek information regarding communications between Plaintiff and his legal counsel on the ground that such communications are privileged and not subject to discovery. No response is intended to waive such privilege, including the inadvertent disclosure of any privileged information which resulted from Plaintiff's good faith effort to thoroughly respond to these interrogatories in the required period of time. Further, while Plaintiff has provided information relating to work performed by his legal counsel in this case, such disclosure is for purposes of providing factual evidence of work performed. The substance is privileged. Plaintiff reserves the right to recall any privileged information that was inadvertently disclosed in responding to these Discovery Requests.

INTERROGATORIES

INTERROGATORY NO. 1: With regard to the costs incurred or expended to date on your behalf for the above-referenced litigation, provide a description of each item of costs, the amount of such cost, indicate whether the cost has been paid, the amount of the payment, and the person or entity making the payment. Attached to your answer any document corroborating any aspect of your answer.

ANSWER: Plaintiff objects to this Interrogatory as overbroad and requesting information and/or documents protected by the attorney-client privilege and/or attorney work product doctrine. Subject to and without waiving said objection, as of December 7, 2017, Plaintiff has incurred \$407.04 in costs related to the above-referenced litigation. *See* Pl 0001-012, attached. Because litigation of this matter is ongoing, Plaintiff reserves the right to amend this response to reflect additional costs, as incurred. Further, by answering this Interrogatory, Plaintiff has not and does not agree to accept reimbursement for costs in the amounts stated herein as a form of settlement of his claims against Defendant.

INTERROGATORY NO. 2: With regard to the attorney's fees incurred or expended to date in this litigation, (A) describe the total amount of the fees incurred, the nature of each legal service and/or activity for which any charged was made for legal services, the amount of time spent on each such legal service and/or activity, the amount of the charged for such legal service and/or activity, and state whether payment has been made, and if so, by whom an when; (B) if the legal charges were based on increments of time, such as an hourly charge describe for each person providing legal service and/or activity, the amount of the charge, indicate the capacity (i.e. attorney, paralegal, administration staff, etc.) of the person performing such legal service and/or activity, describe the qualifications of such person to perform those tasks. Indicate the nature of

the fee agreement between you and your attorneys: this means whether the fee agreement is hourly, a flat fee, or contingent based on recovery or any other arrangement.

Attach to your answer, any document corroborating any aspect of your answer.

ANSWER: Plaintiff objects to this Interrogatory as overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and requesting information and/or documents protected by the attorney-client privilege and/or attorney work product doctrine. Subject to and without waiving said objection, as of December 7, 2017, Plaintiff has incurred approximately \$39,920.00 in attorneys' fees related to the above-referenced litigation. *See* Pl 0001-012, attached. Because litigation of this matter is ongoing, Plaintiff reserves the right to amend this response to reflect the additional attorneys' fees he continues to incur. Further, by answering this Interrogatory, Plaintiff has not and does not agree to accept reimbursement for his attorneys' fees in the amount stated herein as a form of settlement of his claims against Defendant.

Dated this 7th day of December, 2017.

WALCHESKE & LUZI, LLC
Attorneys for Plaintiff

By: s/ **James A. Walcheske**

James A. Walcheske, State Bar No. 1065635
Scott S. Luzi, State Bar No. 1067405
Kelly L. Temeyer, State Bar No. 1066294

15850 W. Bluemound Rd., Suite 304
Brookfield, WI 53005
Phone: 262-780-1953
Fax: 262-565-6469
jwalcheske@walcheskeluzi.com
sluzi@walcheskeluzi.com
ktemeyer@walcheskeluzi.com